(1)

Supreme Court, U.S.
FILED

04-932 JAN 3 - 2005

OFFICE OF THE CLERK

No.

IN THE

SUPREME COURT OF THE UNITED STATES.

Crisanto Mendonca,
Petitioner,

Vs.

Commonwealth Of Massachusetts Supreme Judicial Court Et. Al.,
Respondents,

On Petition For Writ Of Certiorari To The United States Court Of Appeals For The First Circuit.

PETITION FOR WRIT OF CERTIORARI.

Crisanto Mendonca
P. O. Box 390944
Cambridge, MA 02139.

Dated: January 3, 2005.

QUESTIONS PRESENTED FOR REVIEW.

Whether United States Court of Appeals for the First Circuit summarily affirm the judgment of dismissal.

LIST OF ALL PARTIES TO THE PROCEEDING IN THE COURT.

State Commonwealth of Massachusetts. Salvatore M. Giorlandino Assistance Attorney General for the State Commonwealth of Massachusetts.

CORPORATE DISCLOSURE STATEMENT.

Crisanto Mendonca has no parent corporations. No public held company owns stock of Crisanto Mendonca.

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STATEMENT OF THE BASIS FOR JURISDICTION IN THIS COURT.

On October 27, 2004 the judgment sought to be reviewed was entered.

CONSTITUTIONAL PROVISIONS.

Civil Rights Act of 1866. All persons shall have the same rights to make and enforce contracts, to sue, be parties, give evidence, and to the full and equal benefit of all laws.

STATEMENT OF THE CASE.

On October 27, 2004 United States Court of Appeals for the First Circuit summarily affirm the judgment of dismissal. On August 13, 2004 United States District Court Judge Patti B. Saris, electronic order entered denying {4} motion with support provisions of laws and facts for rulings judgment and dismissed this case as the United States District Court does not have jurisdiction to review the State proceedings. The United States Court of Appeals for the First Circuit Panel Lynch, Lipez, and Howard, judgment entered: October 27, 2004 The district court correctly concluded that it lacked jurisdiction over plaintiff's action. See Hill v. Town of Conway, 193 F. 3d 33, 39 (1st Cir. 1999) (" 'if

the constitutional claims presented to a United States district court are inextricably intertwined' with the merits of a judgment rendered in state court, "then the district court is in essence being called upon to review the state - court decision. This the district court may not do.' "). Consequently, we summarily affirm the judgment of dismissal. Affirmed. By the Court: Richard Cushing Donovan, Clerk. By Margaret Carter Chief Deputy Clerk. { cc: Messrs: Mendonca and Giorlandino }, see appendix on page 6.

The Commonwealth of Massachusetts Supreme Judicial Court, discriminated plaintiff the United States Constitution Civil Rights Act of 1866, denied petition to reconsider denied application for further appellate review.

ARGUMENT.

The United States Court of Appeals for the First Circuit has decided an important question of federal law that has not been, but should be, settled by this Court.

Respectfully Submitted,

Crisanto Mendonca

Crisanto Mendonca
P. O. Box 390944
Cambridge, MA 02139

APPENDIX

UNITED STATES COURT OF APPEALS FOR THE FIRST CIRCUIT

No. 04 - 2162

CRISANTO MENDONCA

Plaintiff, Appellant,

v.

COMMONWEALTH OF MASSACHUSETTS SUPREME JUDICIAL COURT ET. AL.,

Defendants, Appellees.

Before
Lynch, Lipez, and Howard,
Circuit Judges.

JUDGMENT

Entered: October 27, 2004

APPENDIX

The district court correctly concluded that it lacked jurisdiction over plaintiff's action. See Hill v. Town of Conway, 193 F. 3d 33, 39 (1st Cir. 1999) (" 'if the constitutional claims presented to a United States district court are inextricably intertwined' with the merits of a judgment rendered in state court, "then the district court is in essence being called upon to review the state - court decision. This the district court may not do.' "). Consequently, we summarily affirm the judgment of dismissal.

Affirmed.

By the Court:

Richard Cushing Donovan, Clerk.

By Margaret Carter Chief Deputy Clerk.

{ cc: Messrs: Mendonca and Giorlandino }.

APPENDIX

UNITED STATES DISTRICT COURT
OF MASSACHUSETTS

Notice of Electronic Filing The following transaction was received from Patch Christine entered on 8 / 13 / 2004 at 10: 16 AM EDT and filed on 8 / 9 / 2004 Case Name: Mendonca v. Commonwealth of Massachusetts Supreme Judicial Court et al Case Number: 1:04 - cv - 11405 Filer: Document Number: Docket Text: Judge Patti B. Saris: Electronic Order entered denying {4} motion with support provisions of laws and facts for rulings judgment. The case is dismissed as this Court does not have jurisdiction to review the state proceedings. (Patch Christine) The following document(s) are associated with this

APPENDIX

transaction: 1:04 - cv - 11405 Notice will be electro nically mailed to: 1:04 - cv - 11405 Notice will not be electronically mailed to:

Crisanto Mendonca

P. O. Box 390944

Cambridge, MA 02139.

APPENDIX

SUPREME JUDICIAL COURT FOR THE COMMONWEALTH OF MASSACHUSETTS

One Beacon Street, Third Floor, Boston

Massachusetts (617) 557 - 1020

TO: Crisanto Mendonca

P. O. Box 390944

Cambridge, MA 02139

RE: No. FAR - 14037

CRISANTO MENDONCA

vs.

JOSEPH MEDEIROS & another

NOTICE OF DOCKET ENTRY

APPENDIX

Please take note that on June 3, 2004, the following entry was made on the docket of the above - referenced case: DENIAL of petition to reconsider denial of FAR application.

Susan Mellen, Clerk

Dated: June 3, 2004.

To: Crisanto Mendonca

Steven R. Norman, Esquire

APPENDIX

SUPREME JUDICIAL COURT FOR THE COMMONWEALTH OF MASSACHUSETTS

One Beacon Street, Third Floor, Boston

Massachusetts (617) 557 - 1020

TO: Crisanto Mendonca

P. O. Box 390944

Cambridge, MA 02139

RE: No. FAR - 14037

CRISANTO MENDONCA

vs.

JOSEPH MEDEIROS & another

Middlesex Superior Court NO. MICV1994

- 01196 A.C. NO. 2004 - P - 1662

NOTICE OF DENIAL OF F.A.R. APPLICATION

APPENDIX

Please take note that on 05 / 03 / 04, the above - captioned Application for Further Appellate Review was denied.

(Sosman, J., recused)

Susan Mellen, Clerk

Dated: May 3, 2004

To: Crisanto Mendonca

Steven R. Norman, Esquire